

Notice of Allowability

Application No.

10/679,200

Examiner

Dimple N. Bodawala

Applicant(s)

DOHMANN ET AL.

Art Unit

1791

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment after non-final, filed on 10/18/2007.
2. ☒ The allowed claim(s) is/are 1-11 and 21.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/364,308.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Please cancel claims 12-20, drawn to a method for extrusion of hollow bodies, which are non-elected without traverse by Applicant's representative Darrel Wong, during the phone interview on 5/17/2007.

Please amend the specification on page 1 lines 8-11 as follows:

- - This application is a continuation of U S Application No. 10/364,308, filed on February 10, 2003, which is now Abandonment, which claims priority under 35 U S C 119 to German Application No. DE 102 05 843.1, filed February 13, 2002, the entire teaching of which are incorporated herein by reference. - -

Allowable Subject Matter

1. Claims 1-11 and 21 are allowed.
2. The following is an examiner's statement of reasons for allowance:

3. The prior art of record fails to teach or suggest an extrusion of hollow bodies as defined in the claims of the instant application. The closest prior arts, Becker (U S Patent No. 4,063,865) teaches all claimed structural limitation of claim 1. It further teaches that webs of web pairs being arranged so they staggered, but not to be overlap in radial direction (See col.1 lines 29-33). Therefore, the prior arts either Becker (U S Patent No. 4,063,865) or Sokolow (U S Patent No. 3,899,276) fails to teach or suggest the webs of the web pair being arranged so they at least partially overlap as viewed in a radial direction as cited in claim 1.

4. Furthermore, Applicant's arguments received on 10/18/2007 regarding claims 11 and 21, which are considered and found persuasive because the prior art Sokolow (U S Patent No. 3,899,276) discloses in figure 3 radial channel (47) extending through fingers (101) between channels, however, the prior arts either Becker (U S Patent No. 4,063,865) or Sokolow (U S Patent No. 3,899,276) fails to teach or suggest means for providing a linear borehole from the exterior web to the interior web, the exterior and interior web being offset relative to each other about a common axis as recited in claims 11 and 21.

5. Furthermore, Becker discloses an extruder head having inner and outer rings connected together by the radial web, but fails to teach or suggest the orientation of the web.

6. Nor does there appear to be any reason in this reference, or combined with any of the other prior art of record, to modify the devices to result in such a combination of features.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dimple N. Bodawala whose telephone number is (571) 272-6455. The examiner can normally be reached on Monday - Friday at 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Yogendra N. Gupta can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)? If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DNB


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